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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,234	06/19/2003	Sue Loshkajian	6897-65553	6093

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EXAMINER

BOLLINGER, DAVID H

ART UNIT PAPER NUMBER

3653

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/600,234

Applicant(s)

LOSHKAJIAN, SUE

Examiner

David H Bollinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 and 11 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-8 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12 Sept. 2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kiss in view of Chan '206 and Frank.

Kiss teaches in combination a display board for displaying collectible articles (dolls) where the board includes at least one aperture for attaching the article to the board for display purposes (see Figures 1 and 2) via a clip (see Figure 2A) to grip the article where the clip comprises a base portion 24, means to grip 22 and a press fit portion 26 with a diameter larger than the diameter of the aperture in the board. Kiss fails to teach the collectible article being a table dispenser. Kiss also fails to show a spring disposed between the press fit portion and the base portion.

Chan '206 teaches a tablet dispenser as claimed and commonly known as a PEZ dispenser which is a collectible article among some individuals (see Figures 1-4).

Note particularly in Figure 4 the front wall of the tablet dispenser includes a forwardly protruding portion (un-numbered) extending the vertical length of the housing from the base to the dispensing end.

It would have been obvious to one of ordinary skill in the art to employ the combination of Kiss to provide a display board for the collectible tablet dispensers of Chan '206.

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Frank teaches providing the clip employed to secure an article to a board member with a spring comprising an arcuate member 34 with a pair of ends adapted to contact the board and includes a pair of reliefs (in the area of 36 in Figure 2).

In view of Frank, it would have been obvious to one of ordinary skill in the art to provide the clip of Kiss with a spring. This would provide the advantage of providing a stable and secure attachment of the clip to the display board.

3. Claims 3, 4 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 10 and 11 are allowed.


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Copell and Kalbow et al are cited to show various arrangements of display boards for articles. Kelley is cited to show a press fit portion for securing an item to a support comprising a plurality of fins. Sternberg, Hinterreiter '442, Suda et al, Konig '239 and Hoke are cited to show various tablet dispenser arrangements.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H Bollinger whose telephone number is 703-308-1113. The examiner can normally be reached on Monday through Friday from 9:00 am to 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh, can be reached on 703-306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David H. Bollinger
Primary Examiner
Art Unit 3653
11/14/04